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tragedy. As a demonstration of the physical absurdity of war, Irwin's *The Next War* is clearer, more lucid and more convincing. Yet Colonel Palmer attempts something more than either. His is rather a treatment of war in the abstract, with illustrations here and there from his wide experience. "Dear, grave old Palmer, with sphinx-like face and honest soul," as his friend Gibbs characterizes him, has given us the philosophy of a thoughtful lifetime in touch with his subject. It is heavy in spots, but it is tremendous in others.

Someone must map out the conventional beliefs of the war period, the armistice period and the post-war disillusionment, getting these into proper relationship with each other. The time of disenchantment in which we find ourselves has its own catchwords and slogans. It "leans over backward," so to speak. In this respect, *The Folly of Nations* is less faulty than most of the others.

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*The Question of the Aborigines in the Law and Practice of Nations.*

ALPHEUS HENRY SNOW. New York and London, G. P. Putnam's Sons, 1921. 376 pp.

This book fills a gap in our legal literature. It is a reprint, by permission, of material collected in 1918 by a prominent attorney and author, of Washington, D. C., at the request of the Department of State. So commonly have the dealings of civilized states with native peoples been looked upon as purely private affairs that these relations have not been dealt with to any extent by legal authorities, and Mr. Snow found "no treatise on the question, nor even any chapters in any book on international law or the law of colonies, to serve as a model or a guide."

Indeed, there is considerable ground for questioning the legal nature of the customs which have prevailed in the dealings of the various states with their aborigines, except in so far as the interests of more than one civilized state have been involved at one and the same time. There has always been diversity of opinion among the authorities, even on such questions as that of the validity of treaties executed between a civilized state and native tribes. In the early days of our government Chief Justice Marshall made his famous decision in which he classed the Indian tribes within our borders as "domestic dependent nations;" and prior to 1871 our government repeatedly solemnized treaties with

the native tribes of this continent, treaties which were declared to be a part of the law of the land. But Martens, the famous Russian publicist, writing in 1886, declared; "International treaties can be concluded only between states more or less civilized. It would be difficult to recognize as such treaties which an African king concludes, disposing of lands which he considers his own, but of the limits of which he has no definite idea."

It is upon the American interpretation of the question that the author bases his discussions. After an introductory chapter in which he defines aborigines as "the members of uncivilized tribes which inhabit a region at the time a civilized state extends its sovereignty over the region, and which have so inhabited from time immemorial; and also uncivilized descendents of such persons dwelling in the region," the author summarizes in fourteen subsequent chapters the law and custom governing the relations between such uncivilized tribes and the civilized states that have absorbed their territories. He uses an abundance of documents in the development of such topics as "Aborigines as Wards of the State which Exercises Sovereignty over Them," "The Relation of the Power over Aboriginal Tribes and the Power over Colonies Generally," "The Rights of Aborigines as Respects their Land, Liberty and Personal Property," "The Duties of Civilized States as Guardians," and "The Legal Effects of Agreements between Civilized States or their Citizens and Aboriginal Tribes." Chapters X-XIII deal with the development and colonization of Central Africa. Chapter XIV discusses the problem of "Intervention for Humanity" in strictly "orthodox" style. The author's conclusions on this subject will provoke a very sarcastic smile from Mexican and Filipino scholars. His idealism is reflected in the clause in the Covenant of the League of Nations which provides for the creation of the mandates. The last chapter has to do with the law of the aborigines as influenced by affairs in Morocco.

A summary chapter would have added greatly to the value of the book for the lay reader. Perhaps this was not needed by the Department of State. There is an Index of Cases, and a General Index. The chief value of the book lies in the store of documents quoted entire or in part. Even here one cannot help feeling that the world has moved a long way in this particular field since the summer of 1918 when the book was written.

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